

USSN: 09/706,243

Atty. Dkt. No.: 8325-0002.10 Client Dkt. No.: S2-US3

**PATENT** 

#### CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on

October 8, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Examiner: J. Brusca

COX III et al.

Group Art Unit: 1631

Serial No.: 09/706,243

Confirmation No.: 6940

Filing Date: November 3, 2000

Customer No.: 20855

Title: REGULATION OF ENDOGENOUS

GENE EXPRESSION IN CELLS USING

ZINC FINGER PROTEINS

### RESPONSE TO THE NOTICE OF DRAWING INCONSISTENCY WITH **SPECIFICATION**

Mail Stop Issue Fee Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Notice of Drawing Inconsistency With Specification mailed September 27, 2004 that sets a response due date on or before October 27, 2004. Accordingly, this response is timely filed.

The Notice of Drawing Inconsistency With Specification states that Figures 11A& B are contained in the Drawings as filed June 16, 2004, however they are not listed in the Brief Description if the Drawings in the specification. Applicant asserts that Figures 11A & B were submitted in error and are not to be considered drawings for the above-identified application.

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Therefore, please remove the sheet showing Figures A & B and issue the patent with sheets 1 though 10 (Figures 1, 2A-2C,3, 4A & 4B, 5, 6, 7, 8, 9, and 10A & 10B)

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

By:

Respectfully submitted,

Date: October 8, 2004

Dahna S. Pasternak Attorney for Applicant Registration No. 41,411

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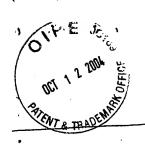
APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/706,243	11/03/2000		George Norbert Cox III	8325-0002.10	6940
20855	7590	09/27/2004		EXAMINER	
ROBINS & PASTERNAK 1731 EMBARCADERO ROAD			RECEIVED	/ F D BRUSCA, JOHN S	
SUITE 230 PALO ALTO, CA 94303			OCT 0 4 2004	ART UNIT	PAPER NUMBER
				1631	

**ROBINS & PASTERNAK LLP** 

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

8305-000210 OCKETED Drawings 10/27/04 CD





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

# NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 6-16-03 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.	
Figures are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.	
Figures 1 atb are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.	<b>'</b>
Applicant is required to correct the above-noted inconsistency within a time period of ONE MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)	~
Failure to correct the above noted inconsistency will result in abandonment of the application.	~
The file will be held in the Publishing Division to await the correction of the inconsistency.	<u>,</u>

## Return Corrected Drawings/Specification to:

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Alexandria, VA 22313-1450

Office of Patent Publication/Publishing Division Customer Service: 703-308-6789 1-888-786-0101

FORM PTO-1631 (REV. 10-03)